

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

JAMES WHEATON,

Petitioner,

v.

JACK PALMER, et al.,

Respondents.

Case No. 3:12-cv-00313-MMD-VPC

ORDER


This is a habeas action pursuant to 28 U.S.C. § 2254. The Court appointed the Federal Public Defender to represent petitioner. (Dkt. no. 46.) Before the Court is petitioner's counseled motion to voluntarily dismiss his habeas petition. (Dkt. no. 53.) Petitioner has also filed a declaration attesting that, after consulting with counsel, he wishes to voluntarily dismiss this action. (Dkt. no. 53-1.) Petitioner further indicates that he understands that such dismissal will bar him from seeking further federal habeas review. (*Id.* at 2.) Respondents have not opposed.

It therefore is ordered that petitioner's voluntary motion to dismiss the petition (dkt. no. 53) is granted. The petition is dismissed with prejudice.

It is further ordered that petitioner's first and second motions to extend time to file an amended petition (dkt. nos. 51, 52) are both denied as moot.

It further is ordered that the Clerk shall enter judgment accordingly and close this case.

DATED THIS 8th day of June 2015.


MIRANDA M. DU
UNITED STATES DISTRICT JUDGE